

I hereby certify that this correspondence, in being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 18, 2003

Aaron T. Berrowman, Reg. No. 42,348 Date June 18, 2003



US 71597(c)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                            |   |                       |
|----------------------------|---|-----------------------|
| In re Application of       | ) | Group Art Unit: 6241  |
|                            | ) |                       |
| Peter H. Wolf              | ) | Examiner: Chang, S.   |
|                            | ) |                       |
| Serial No. 09/641,248      | ) |                       |
|                            | ) |                       |
| Filed: August 17, 2000     | ) |                       |
|                            | ) |                       |
| For: PROCESS FOR PROVIDING | ) |                       |
| EVENT PHOTOGRAPHS FOR      | ) | DOCKET NO. WOLF-38176 |
| INSPECTION, SELECTION AND  | ) |                       |
| DISTRIBUTION VIA A         | ) |                       |
| COMPUTER NETWORK           | ) |                       |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED**  
JUN 23 2003  
**GROUP 3600**

DECLARATION OF PRIOR INVENTION IN THE UNITED STATES  
TO OVERCOME CITED PUBLICATION  
(37 C.F.R. §1.131)

1. My name is Peter H. Wolf and I am the inventor of the above-identified patent application.

2. This Declaration is to establish completion of the invention in this application in the United States at a date prior to October 6, 1999, that is the effective date of the web-site publication that was cited by the Examiner in the May 9, 2003 Office Action.
3. At least as early as the first part of 1999, I conceived of and began to develop the present invention disclosed in the above-identified patent application. I began developing my web-site which incorporates the present invention in mid-1999.
4. As shown in the attached Exhibit A, on July 1, 1999 I filed a Fictitious Business Name Statement for PHOTOCRAZY, which is the trade name which I use to market the services of the present invention, and also the name of the web-site www.photocrazy.com.
5. On September 25, 1999 I photographed and used the present invention with a bike event, entitled The Lighthouse Century in San Luis Obispo, California wherein I shot photographs of the participants, posted these on the web-site and otherwise used the invention so that the participants could order photos of the event. Attached hereto as Exhibit B is a copy of the letter from Bruce Collier, President of the Lighthouse Century organizers in 1999 indicating that my company took pictures of this event on September 25, 1999 and displayed the images for sale on our website by September 26, 1999 wherein the pictures could be searched by the time they were taken and by bib numbers.
6. On or about August 10, 1999 I contacted Randy Ice for permission to photograph the Solvang Prelude bicycle event, which was to be held on November 6, 1999. Randy Ice was the event director for the Solvang Prelude and I explained our unique methods of providing event photography.

On or about August 24, 1999 Randy Ice informed me that we had permission to photograph the event after Randy had consulted with MarathonFoto. Randy consulted with MarathonFoto because they had an exclusive contract to shoot Randy's events including the Solvang Prelude and the Solvang Century (typically held in march). MarathonFoto, according to Randy, declined to photograph the Solvang Prelude because it was too small of an event for them. PhotoCrazy ended up photographing the Solvang Prelude on November 6, 1999. Randy Ice was intrigued about our novel methods of event photograph and invited me to present our techniques at the upcoming Bicycle Ride Director's Association of America (BRDAA) meeting on September 22, 1999. Randy Ice was president of BRDAA during 1999.

7. On September 22, 1999 I attended a meeting of the BRDAA and discussed how my company could take pictures at biking or similar events and the pictures would be available for riders to order on my web-site within 24 hours. I attach hereto Exhibit C which is a letter from BRDAA confirming the date of the meeting, and my involvement. I also enclose, as Exhibit D, a letter dated September 23, 1999 to BRDAA as a follow-up to the meeting and my presentation. This letter includes web-site print-outs dated September 21, 1999 and refers to a May 8, 1999 event further showing evidence of the invention at these dates, which are earlier than the effective date (October 6, 1999) of the cited reference.

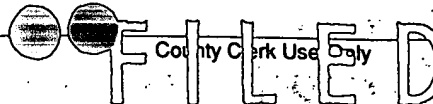
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

June 18, 2003  
Date

Peter H. Wolf  
Peter H. Wolf



RICHARD D. DEAN, County Clerk  
County of Ventura  
Hall of Administration, Lower Plaza L#1210  
800 South Victoria Avenue  
Ventura, California 93009



JUL - 1 1999

RICHARD D. DEAN, County Clerk

By MARTHA GONZALEZ

Deputy County Clerk

PLEASE TYPE OR PRINT LEGIBLY/FIRMLY IN BLACK INK  
SEE REVERSE SIDE FOR INSTRUCTIONS

☐ First Filing

☐ Renewal Filing - Current Registration No. \_\_\_\_\_

**FICTITIOUS BUSINESS NAME STATEMENT**  
THE FOLLOWING PERSON(S) IS (ARE) DOING BUSINESS AS:

|          |   |  |  |                    |                     |
|----------|---|--|--|--------------------|---------------------|
| <b>A</b> | FICTITIOUS BUSINESS NAME(S) ( ) Continued on page 2 for additional business names<br><u>PHOTOCRAZY</u>  |  | Daytime phone (optional)   |                    |                     |
| <b>B</b> | Street Address of Principal Place of Business (P.O. Box not acceptable)<br><u>137 E. Thousand Oaks Bl</u>   |  | City<br><u>Thousand Oaks</u>   | State<br><u>CA</u> | Zip<br><u>91360</u> |
|          | Mailing Address (optional)  |  | City   | State              | Zip                 |
| <b>C</b> | (1) Full Name of Registrant<br><u>Peter H. Wolf</u><br>Residence Street Address (P.O. Box not acceptable)<br><u>509 Rundance Street</u><br>City<br><u>Thousand Oaks</u> State<br><u>CA</u> Zip<br><u>91360</u><br>(If a corporation, show state of incorporation) |  | (2) Full Name of Registrant<br><br>Residence Street Address (P.O. Box not acceptable)<br><br>City<br><br>State<br><br>Zip<br><br>(If a corporation, show state of incorporation) |                    |                     |
|          | (3) Full Name of Registrant<br><br>Residence Street Address (P.O. Box not acceptable)<br><br>City<br><br>State<br><br>Zip<br><br>(If a corporation, show state of incorporation)  |  | (4) Full Name of Registrant<br><br>Residence Street Address (P.O. Box not acceptable)<br><br>City<br><br>State<br><br>Zip<br><br>(If a corporation, show state of incorporation) |                    |                     |

( ) Continued on page 2 for additional registrant names

|           |  |  |           |  |  |
|-----------|--|--|-----------|--|--|
| <b>D</b>  | This Business is conducted by: <input checked="" type="checkbox"/> an individual ( ) a general partnership ( ) a joint venture ( ) a business trust<br>(Check only one) ( ) co-partners ( ) husband and wife ( ) a corporation ( ) a limited partnership<br>( ) an unincorporated association other than a partnership ( ) other - please specify: _____ |  |           |  |  |
| <b>E</b>  | (Check only one)<br><input checked="" type="checkbox"/> The registrant commenced to transact business under the fictitious business name or names listed above on <u>July 1 1999</u> (date)<br>( ) Registrant has not yet begun to transact business under the fictitious business name or names listed herein.  |  |           |  |  |
| <b>F1</b> | Signed _____<br>Signed _____<br>Type or Print Name(s) <u>Peter H. Wolf</u>   |  | <b>F2</b> | If registrant is a corporation, officer signs below:<br><b>RECEIVED</b><br>Corporation Name _____<br>Signature & Title _____<br>Type or Print Officer's Name & Title <u>GROUP 3600</u> |  |

THIS STATEMENT WAS FILED WITH THE COUNTY CLERK OF VENTURA COUNTY ON THE DATE INDICATED BY THE FILE STAMP ABOVE

NOTICE - THIS FICTITIOUS NAME STATEMENT EXPIRES FIVE YEARS FROM THE DATE IT WAS FILED IN THE OFFICE OF THE COUNTY CLERK. A NEW FICTITIOUS BUSINESS NAME STATEMENT MUST BE FILED BEFORE THAT TIME  
ment does not of itself authorize the use in this statement in violation of the rights of another under the law (See Section 14400 et seq., Business and Professions Code)

I HEREBY CERTIFY THAT THIS COPY IS A CORRECT COPY OF THE ORIGINAL STATEMENT ON FILE IN MY OFFICE.

RICHARD D. DEAN, County Clerk

By: \_\_\_\_\_ Deputy

File Number: 99-4134

Indexed:

EXHIBIT A



San Luis Obispo Bicycl Club  
P. O. Box 1585  
San Luis Obispo, CA  
93406

June 11, 2003

To Whom it may concern:

I hereby certify that PhotoCrazy's photographers took pictures of the annual Lighthouse Century participants on September 25, 1999 and displayed the images for sale on their website by September 26, 1999. The pictures could be searched by the time they were taken and by bib numbers.

During the summer of the 1999 Lighthouse Century, I was President of the San Luis Obispo Bicycle Club and was contacted by Peter Wolf requesting approval to photograph the riders on our forthcoming century. We approved Photocrazy to photograph the participants on our ride at a meeting in July 1999.

In the Spring of 2000, we also approved the Photocrazy request to photograph the riders on our Wildflower Century on April 29, 2000..This is a unique service which we have continued to offer to our participants on both of our Century rides each year.

On behalf of the San Luis Obispo Bicycle Club,

Bruce G. Collier

**RECEIVED**  
JUN 23 2003  
**GROUP 3600**

EXHIBIT B

JUN-02-2003 12:25 PM E R/BRDAA

690 0614

P.01

B.R.D.A.A.  
SCOR C.C.C.  
SCOR PRODUCTIONS

**Shella L. Lyons**  
(562) 690-9693 • e-mail: bikeride@gte.net

**Randy Ice, P.T., C.C.S.**  
cell: (760) 468-4718 • e-mail: bikeice@aol.com

June 2, 2003

To Whom It May Concern:

This is to verify that Peter Wolf of PhotoCrazy attended a meeting of the Bicycle Ride Director's Association of America on September 22, 1999.

At that time Mr. Wolf discussed how his company could take pictures at biking events and that the pictures would be available for riders to order on PhotoCrazy's WEB site within 24 hours.

Sincerely,

  
Shella Lyons  
Secretary

EXHIBIT C

Professional Event,  
Special Occasion  
and Family History  
Photography

PhotoCrazy

137 East Thousand Oaks Blvd. #203, Thousand Oaks, CA 91360 (805) 496-9908  
FAX (805) 496-5512 EMAIL: [order@photocrazy.com](mailto:order@photocrazy.com) WEB: <http://photocrazy.com>

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September 23, 1999

Sheila L. Lyons  
BRDAA SCOR Productions  
755 N. Leafwood Court  
Brea, CA 92821

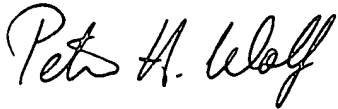
Dear Sheila:

It was a pleasure meeting with some of the B.R.D.A.A. members last night. Thank you for the opportunity to introduce our organization to your group.

I have attached to this note some promotional and explanatory phrases that can be used to announce to event participants what we, from PhotoCrazy can do. We are available to any organization to do the event photography. Simply have anyone who is interested in our services, contact us by email, fax or phone and be sure to suggest that event organizers check our WEB site for examples of our work.

I will fax, mail and email this note to you.

Sincerely,



Peter H. Wolf  
President

EXHIBIT D

Professional Event,  
Special Occasion  
and Family History  
Photography

# PhotoCrazy

137 East Thousand Oaks Blvd. #203, Thousand Oaks, CA 91360 (805) 496-9908  
FAX (805) 496-5512 EMAIL: [order@photocrazy.com](mailto:order@photocrazy.com) WEB: <http://photocrazy.com>

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Suggested WEB announcement to inform event participants about picture availability. 'Photocrazy' in the text is hyper-linked to <http://photocrazy.com>

- Pictures of each participant that evening at the Photocrazy web site (Note that all pictures are indexed by the time at which each picture was taken. There will be a **big** clock at a specific bike route location where the pictures are taken -- remember the time you pass the **big** clock. See the handout on the day of the ride for more information.)

OR

- Each participant can view pictures of the event, themselves or friends that evening at the Photocrazy web site. All pictures are indexed by when they were taken. Remember the time on the **big** clock when your picture is taken or request a date and time stamped card from the photographer.





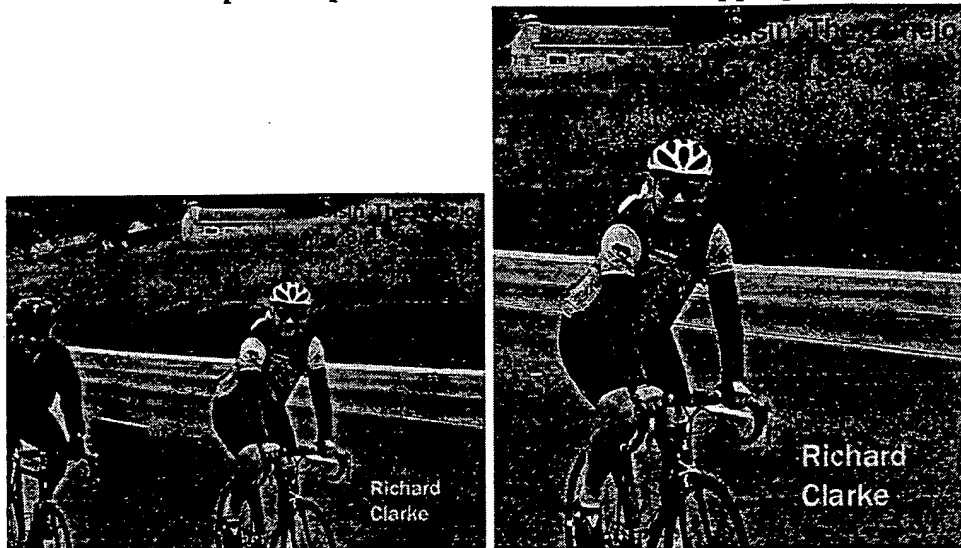
# Special Instruction Examples

Use your 'Back' button to return to the previous page

Special instructions may include *image cropping*, *adding text* such as the Event Name and Date or *removing distracting objects* from within the image. **Be sure to tell us if you want the event name, date and/or your name printed on the images!**

Image brightness and color balance corrections will be provided with each order.

Here is an example of a picture before and after 'cropping'



Here is an example before and after removing an unknown biker



Use your 'Back' button to return to the previous page

Thumbnail Image:



Enter Quantities here, then add to Shopping Cart:

 2"x3" Wallet Size - Set of 6 printed @ \$10.50 3"x5" Single Copy printed @ \$6.50 3"x5" Set of 4 printed @ \$13.50 5"x7" printed on 8.5"x11" sheet @ \$10.50 E-mailed image - Normal Resolution @ \$6.50 E-mailed image - High Resolution @ \$8.50 8"x10" printed on 8.5"x11" sheet @ \$12.50Enter Special Instructions for this picture here (click [HERE](#) for examples):